

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 23-26 are pending in the present application, 24-26 having been added, and Claims 20-22 having been canceled without prejudice or disclaimer. Although not identical, Applicants note that Claims 24-26 include to the subject matter of Claim 1 of U.S. Patent No. 7,006,757, which is a child of the present application. However, the present claims and the claims of 7,006,757 are patentably distinct. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claims 20-23 were rejected under 35 U.S.C. §103(a) as unpatentable over Lenihan et al. (U.S. Patent No. 6,169,843, hereinafter Lenihan) in view of Hirabayashi et al. (U.S. Patent No. 6,002,834, hereinafter Hirabayashi), and further in view of Yamauchi et al. (U.S. Patent No. 6,047,103).

Applicants respectfully submit that new Claim 24 patentably distinguishes over the cited references. Claim 24 is directed toward an information medium for recording stream data of MPEG-TS in accordance with a hierarchical data structure, including: a data area configured to store a stream object corresponding to the stream data, the stream object including one or more stream data units, and the one or more stream data units including one or more pairs of a time-stamp and a transport stream packet; and a management area, located at an area other than said data area, configured to store management information of the stream object. The management information, which is configured to control when the stream object is to be displayed or reproduced, includes an area configured to store first copy management information of the stream object. The at least one stream data unit stores a second data unit including information of the one or more pairs of said time-stamp and said transport stream packet. The second data unit, stored in at least one of the stream data units,

includes a header containing time-related information with respect to the transport stream packet. The second data unit, stored in the at least one stream data unit, includes second copy management information indicating a copyright state of the information of the transport stream packet. Copyright information of the stream object is configured to be managed by said first and second copy management information. The management area includes information indicating presentation timestamp information items and a corresponding point in the stream data, wherein recording locations of the presentation timestamp information items are configured to be different from those of the transport packets included in said stream blocks.

Lenihan does not describe or suggest the above-noted subject matter of new Claim 24.

As shown in Fig. 1A-1D of Lenihan, the data format described in Lenihan does not disclose or suggest the above-noted double copy-management scheme.

Furthermore, Hirabayashi does not cure the above-noted deficiency in Lenihan.

The outstanding Office Action takes the position that the CGMS control data and user data shown in Fig. 2 of Yamauchi equates to first and second copy management data. Applicants respectfully traverse this position.

According to new Claim 24, the management area stores first copy management information, while the data area, which stores a stream object/stream data units/second data unit, includes second copy management information. Yamauchi fails to disclose such a configuration.

Yamauchi discloses that the header region (shown in Fig. 2) of a sector includes CGMS control data. Assuming, arguendo, that the CGMS control data of Yamauchi corresponds to the claimed first copy management information included in the management area of the claimed invention, Yamauchi still does not disclose the above-noted feature of new Claim 24. Under this assumption, if another sector includes a similar header region, this

similar header region including similar CGMS control data, would be included in the management area. The header of the other sector is not a data area different from the management area.

Furthermore, assuming arguendo that the CGMS data in a sector of Yamauchi corresponds to the claimed second copy management information included by the second data unit including a header, and another sector includes similar CGMS control data, both the CGMS control data belong to the same type of area (or the claimed second data unit).

Furthermore, Yamauchi does not disclose or suggest that the user data of the sector is copy management information indicating a copyright state of the information of the transport stream packet. The user data region stores digital data including at least video information and the file management information.¹ In support of its position that the user data corresponds to copy management information, the Office Action refers to step S109 in Fig. 10. According to Fig. 10, the disk reproduction drive 46 which has received the SCSI AV data read command (READ.sub.-- AV) reads data from a specified address in the optical disk 41, and stores the CGMS control data and user data in the CGMS control data memory 502 and the user data memory 503, respectively (step S107). Then, it is judged whether or not the sector data is AV data based on the CGMS control data (step S108). If the sector data is AV data, the process proceeds to step S109. The disk reproduction drive 46 judges whether or not the AV device mutual authentication is successful (i.e., whether or not the receiving device is a proper data receiving device) (step S109). If successful, the data of a total of 2054 bytes composed of the CGMS control data (6 bytes) and the user data (2048 bytes) as a data transmission unit is transmitted to the AV signal processor 47 (step S111).²

There is nothing about step S109 that indicates that the user data includes copy management information.

¹ Yamauchi, col. 9, lines 65-67.

² Yamauchi, col. 21, lines 46-63.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 24 (and Claim 23 dependent thereon) patentably distinguish over Lenihan, Hirabayashi, and Yamauchi, taken alone or in proper combination. In addition, new Claims 25 and 26 include subject matter similar to Claim 24. Thus, Applicants respectfully submit that Claims 25 and 26 patentably distinguish over Lenihan, Hirabayashi, and Yamauchi, taken alone or in proper combination for at least the reasons stated for Claim 24.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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